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Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 October 2004 from the Permanent Mission of Indonesia to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Indonesia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), and in reference to the latter's note verbale dated 21 June 2004 and in compliance with the provisions of Security Council 1540 (2004), has the honour to submit herewith the report of the Government of the Republic of Indonesia on the implementation of the resolution (see annex).

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Annex to the note verbale dated 28 October 2004 from the Permanent Mission of Indonesia to the United Nations addressed to the Chairman of the Committee

INDONESIAN NATIONAL REPORT ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 1540

1. As a victim of acts of terrorism, Indonesia has taken necessary measures to comply with Security Council Resolution 1540, including cooperation with some neighboring countries.

2. It is the national policy and a basic principle that Indonesia does not and will not produce, develop or use weapons of mass destruction (WMD). Indonesia has always constructively participated in multilateral negotiations to strengthen non-proliferation and achieve disarmament of WMD in all its aspects.

3. Indonesia is fully committed to the maintenance of regional peace and security. In 1971, together with other members of the ASEAN, it declared Southeast Asia as the Zone of Peace, Freedom and Neutrality.

Legislative Actions

1. Indonesia ratified the Non-Proliferation Treaty in 1978; the Chemical Weapons Convention in 1998; the Biological Weapons Convention in 1991; the Convention on Physical Protection of Nuclear Materials in1986; the Convention of Early Notification of a Nuclear Accident in 1993; the Treaty of Southeast Asian Nuclear Weapons Free Zone in 1997; the Convention of Assistance in the Case of a Nuclear Accident of Radiological Emergency; the Convention on Nuclear Safety in 2001; and is in the process of ratifying the CTBT. Indonesia has also adopted the Code of Conduct and Additional Protocol of the IAEA.

2. Indonesia has enacted:

- Law No. 10/1995 regarding Export Control;
- Law No. 15/2003 regarding the Eradication of Criminal Acts of Terrorism.

Executive Actions

1. In order to coordinate and formulate national counter-terrorism policy and strategy, Indonesia established a Counter-Terrorism Coordinating Desk in the Office of the Coordinating Minister of Political and Security Affairs in 2002.

2. Indonesia has established set of regulations to ensure the safe use and control of radiological and nuclear material which include the prevention of theft and sabotage at nuclear facilities:

- Law No. 10/1997 on Nuclear Energy
- Government Regulation No. 64/2000 on Regulation on Nuclear Power Use
- Government Regulation No. 63/2000 on the Safety and Health of Ioniser Radiation Use
- Government Regulation No. 26/2002 on the Safety of Radioactive Materials Transport.

3. With a view to strengthening the effective implementation of domestic regulations, working groups – consisting of various inter-governmental agencies – have been established in the field of nuclear, biological and chemical weapons, and in counter-terrorism.

Enforcement Actions

1. The Indonesian Nuclear Energy Board (BAPETEN) conducts monitoring/control on the issuance of regulations and permits, carries out inspections, and implements procedure on the nuclear material inventory accounting system. The verification of inventory is managed by routine inspection, which involves the monitoring of the quantity, location and ownership; movement of materials from one installation to another; and export and import of nuclear materials, including waste management. This system detects the release of radioactive and nuclear material, intentionally or accidentally.

2. The government has installed radiation, detection and monitoring devices in major seaports. Detection and monitoring equipments such as X-ray scanners are also located in all main airports.

3. Safety measures in microbiological laboratories are regulated by the Decision of the Department of Health on the Safety in Microbiological Laboratory and Bio-medics.

4. In the case of missing hazardous materials, investigation is conducted by the National Police with the assistance of experts from relevant agencies.

5. The Department of Health has created a rapid response team to overcome emergency situations, such as bio-terrorism attack. In addition, an Early Warning Outbreak Reporting System (EWORS) has been developed.

6. Ministerial Decree No. 254/MPP/Kep/7/2000, regulates the importation and circulation of the chemicals listed in the Chemical Weapons Convention published by the Department of Industry and Trade.

7. Control mechanism on export and import of goods is conducted through:

a. Pre-service control:
Control is conducted through a risk management system. This approach uses an intelligent operation method. In this regard, the target to be controlled is chosen by analyzing the supplier, means of transportation, country of origin and information gathering.

b. Control during service process:
Control is conducted through selective random examination of samples or on Intelligence Notes resulting from analysis of custom documents.

c. Post-service control:
Control of exported or imported goods that are not covered by the pre-service and during service controls, upon preliminary indication of violations of regulations. This control includes post audit of the importer and exporter.

8. Domestic outreach programs to disseminate the provisions of the Chemical Weapons Convention are conducted regularly and in coordination with the OPCW.

International Cooperation

1. Indonesia has established cooperation with follcwing countries:

d. A Memorandum Of Understanding with the Government of Australia on Combating Terrorism (signed on 7 February 2002).

e. An Agreement on Information Exchange and Establishment of Communication Procedures among the Government of Indonesia, the Government of the Philippines, and the Government of Malaysia to combat terrorism and other transnational crimes (signed on 7 May 2002).

f. A Treaty between Indonesia and the Republic of Korea on Mutual Legal Assistance in Criminal Matters (signed on 30 March 2002).

g. A Bilateral Extradition Treaty with the Administration of Hong Kong (Hong Kong SARC) which stipulates that surrender of the suspect shall be granted for offences related to the law regulating firearms and explosives; piracy involving ships or aircraft; unlawful seizure or exercise of control over an aircraft or other means of transportation; and smuggling.

h. Bilateral Extradition Treaty with Thailand contains crimes punishable for unlawful possession and smuggling or trafficking in firearms, ammunition or explosives.

2. In the framework of regional cooperation (ASEANAPOL), Indonesia conducts joint patrols along the border with Malaysia; it has also established a joint task force with Singapore to carry out maritime patrols.

3. The Work Program to implement the ASEAN Plan of Action to Combat Transnational Crimes (endorsed on 17 May 2002) also involves cooperation to eliminate terrorism, sea piracy, and arms smuggling.

4. Indonesia as an active State Party to the NPT, CWC, CTBT, and BWC has developed close cooperation with international institutions and agencies, such as IAEA, OPCW and the Preparatory Committee of the CTBTO.

5. Indonesia has received OPCW and IAEA inspections.